



MAR 26 2002

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

Gordon E. Gray III  
Price and Gess  
2100 S.E. Main Street, Suite 250  
Irvine, CA 92614

In re Application of :  
NICOLAAS VAN DER BLOM :  
Application No.: 10/009,446 :  
PCT No.: PCT/DK99/00227 :  
Int. Filing Date: 22 April 1999 :  
Priority Date: N/A :  
Attorney Docket No.: NVB1-BQ11 :  
For: A Device Comprising A Combination Of :  
A Chamber And A Piston :

DECISION ON  
PETITION  
UNDER 37 CFR 1.137(b)

The petition to revive under 37 CFR 1.137(b) filed on 05 December 2001 in the above-captioned application is hereby **GRANTED** as follows:

The appropriate petition fee as required by 37 CFR 1.17(m) has been submitted.

All of the requirements of 37 CFR 1.137(b) for revival have been submitted.

Applicants' statement that "the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional" is in compliance with 37 CFR 1.137(b) at the time of filing this petition.

However, a review of the declaration of the inventors filed 05 December 2001 reveals that it does not appear to have been properly executed. The first two pages of the declaration do not seem to be presented to the inventor at the time of execution since they are original pages while the following page is a facsimile copy. Furthermore, the inventor's signature in the facsimile copy does not appear to be the same as the inventor's signature in the request. Furthermore, the quality of the facsimile is extremely poor with many portions including the signature very white and not containing the horizontal lines and signature. Accordingly, the declaration is not in compliance with 37 CFR 1.497(a). Since the declaration of the inventor was submitted after 30 months from the international date of 22 April 1999, an amount of \$130.00 surcharge (fee code 154) will be charged to Counsel's Deposit Account No. 16-2462,

as authorized in the Transmittal Letter accompanying this petition.

Applicant's withdrawal the priority claim filed on 20 September 1999 is acknowledged. The application has an international filing date of 22 April 1999 under U.S.C. 363.

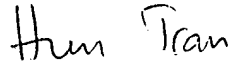
The request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National Stage in the United States of America.

The application is being forwarded to the National Stage Processing Division for processing in accordance with this decision, that is, for charging \$130.00 (fee code 154) to Counsel's Deposit Account No. 16-2462 and for issuance of a "Notification of Missing Requirements" under 35 U.S.C. 371(c) and 37 CFR 1.494 (Form PCT/DO/EO/905) to inform applicant that a newly executed declaration must be filed in order to avoid abandonment of the application as to the National Stage in the United States of America.



Leonard E. Smith  
PCT Legal Examiner  
PCT Legal Office

HT/LS:ht



Hien Tran  
Detailee  
PCT Legal Office

Tel: (703) 308-6162